

Beattie Wits When Dead Wife's Mother Enters Court

DRAMATIC SCENE AS MRS. OWEN TAKES OATH

Crowd on Edge When State's Mysterious Witness, Heavily Veiled, Tells How Unhappily Prisoner's Wife Had Lived—Scherer Unshaken Under Cross-Examination.

With all the settings of a staged drama, and the excitement of a court case, the trial of the murder of Paul Beattie, Jr., was a dramatic scene. Mrs. R. V. Owen, mother of the black-robed, heavily veiled witness, was introduced as a witness in yesterday morning's session of the trial in the courtroom. The witness, who had been in the courtroom since the trial began, was introduced as a witness in yesterday morning's session of the trial in the courtroom. The witness, who had been in the courtroom since the trial began, was introduced as a witness in yesterday morning's session of the trial in the courtroom.

Entrance Was Dramatic. L. O. Wendenburg, of counsel for the prosecution, was holding up before the jury the bloody coat which Beattie wore on the night of the murder. The witness, who had been in the courtroom since the trial began, was introduced as a witness in yesterday morning's session of the trial in the courtroom.

Most of the morning session was taken up in the cross-examination of L. O. Wendenburg, who had been the director of the case and the investigation since the morning after the crime. His account of his dealings and conversations with the young husband stand to-day unshaken. Long a habitué of the courts as a witness in many damages suits, he made a perfect witness, and was fair, no hearsay evidence fell from his lips; he spoke only of those things of which he had personal knowledge. Then he left the scene to make room for the most dramatic figure which has yet passed before the curtain.

Just before court was opened, Judge Gregory, Commonwealth's Attorney, arose to make a simple announcement that the annual meeting of the Woodbridge Camp of Confederate Veterans, scheduled to have been held on September 2, had been indefinitely postponed. The announcement was made for the people.

Scherer on Stand Again. Court was opened by Deputy Sheriff Goode, and Scherer took the stand. Close beside this man who has done so much in unearthing evidence against Beattie sat Sheriff Gill vigorously fanning a breeze about the perspiring brow of the witness. Otherwise, he was cool and collected. Finally he used the fan himself. Hill Carter, of the defense, took him in hand.

"You were asked on Saturday as to your connection with the Chesapeake and Ohio Railway, and you stated that you were chief of its secret service. Is there anything higher up than you?"

"There is W. G. Baldwin," and he described his duties. "I would like to explain," he continued, "that Mr. Baldwin has a contract to furnish men to the railway, and that I have charge of those men. My duties are to supervise and handle the secret service work."

"Well, I have stated to you the nature of my work. I have explained it to you."

"Well, are you a detective?" insisted the attorney.

"Well, I would say that I am not. I am called a special agent, a police officer and a detective. I have answered you to the best of my ability."

"You have been in charge of the case since July 19?"

"Well, no. I have been actively engaged in it since then, but it was a few days later that I was asked by Jarrell and Sergeant Wren to take charge of the case and the investigation. I was also requested by the Commonwealth's Attorney and other men working on the case."

"You have had charge since soon after the 19th, then, setting up evidence in the case?"

"Well, I should say I have."

"Has that been your entire employment since?"

"Well, I have worked pretty hard on the case."

"You have had numerous conferences with all the witnesses, haven't you?"

"I haven't been in a conference over the case every day. We have worked pretty hard over it."

"You have examined privately, or more or less publicly, a good many of the witnesses, or nearly all of them, haven't you?"

"I have examined witnesses and talked with them, but not privately. Other officers were present at the talks with every witness. We have put on the stand, I believe."

"And with all who have been summoned?" queried the attorney.

"No. Some I have not seen. I have endeavored to talk with all."

"You have statements made out by stenographers and typewriters, didn't you?"

"We got statements from most of the witnesses. We would first see a witness and talk to him, and then have him at the office, talk with him and get down his statement."

not as evidence to be weighed by you as to how the blood could have gotten to the road from the motor car."

"Was Beattie present when all this occurred?" asked Mr. Wendenburg.

"He was," answered Mr. Scherer.

"Does Your Honor still adhere to your ruling of just now?" inquired Mr. Smith.

"Yes."

"In regard to the dustpan," went on Mr. Wendenburg, "when it was examined the presence of Beattie, could the blood have gotten from it to the ground?"

"The jury has inspected that machine," interjected Judge Watson, "and I presume that they are competent to answer that question and settle it for themselves. When did you examine the machine?"

"On Wednesday after the murder," "I know that it was used at least one time."

"Once,"

"What was the reason?" continued the court. "Was it dry, and was there much dust?"

"It was dry, but I wouldn't call it dusty."

Must First Prove Condition. Mr. Wendenburg, addressing the court, said he wanted to show that blood could not have run through the dustpan into the road.

"You must first prove the condition of the car at that time," said the court, "and show that it was unchanged when you examined it."

Defense noted an exception.

"Tell the jury the condition of the dustpan and about the grease in it on the morning after the murder," said Mr. Wendenburg.

"There was a good deal of grease in it, and it was dry. At the rear of the pan the grease was hard; it was a half-inch or more in height. There was no blood at all in the pan with the grease."

"There was that one-half inch of grease," in the rear?"

"At the rear."

"If liquid had been put in there, could it have run out?"

"We object," said Mr. Carter. "That would be only his opinion."

"Can you describe the dip of the dustpan?" asked Mr. Wendenburg.

"The blood would have had to flow out through the rear or through two holes in the bottom of the dustpan. The grease and dirt at that time showed no blood on the holes. The grease was thick at the holes."

"How high was the grease around these holes?"

"I wouldn't be positive."

"Was it elevated in the rear of the pan?"

"Don't ask leading questions," said Mr. Carter.

"He can't help it," put in Mr. Smith. "I think the holes were entirely covered with grease," said witness. "I don't know. But there was no blood around them."

"What was the condition at the rear?" inquired Mr. Wendenburg.

"I should say the grease was half an inch higher there, and the blood could not have gone."

Took Many Trips. "Don't say that," interrupted the court. "Don't give your opinion."

"The grease was hard there," Scherer went on.

"You have personal knowledge of only one trip between the time of the murder and your examination of the car," asked Mr. Carter.

"Yes."

"You don't know that it had been twice since to Richmond and a dozen times to the scene of the murder?"

"It did not come up a dozen times," answered Scherer. "My recollection is that it came there one time, certainly not over twice."

Witness said that he examined the car on Wednesday somewhere in the neighborhood of 12 o'clock. He could not tell the exact time. He was called.

Mrs. Owen Appears. "May Your Honor please," said Mr. Wendenburg. "I would like to have the sheriff bring in Mr. Beattie's clothes. The gruesome reminders of the crime packed in a cardboard suit box, were brought in. They were placed on the front of the attorneys for the Commonwealth. Mr. Wendenburg dealt with the witness with a few more unimportant questions, as if playing for time, and then suddenly there appeared a black-robed figure in the right doorway. She hesitated slightly as Ben Owen helped her down the short stairway into the pit of the courtroom, and then walked quietly forward, past the place where Beattie sat. She was all in black, and a long, heavy veil hid her features. Every body gazed at the woman who it could be Beattie's blood-smeared eyes, and figure for a second, and then his head bowed suddenly, and his right hand shook. But it was only a passing tremor. He was himself again in a moment. The defense looked askance at her. A witness, evidently, they had not dreamed of, and they were not forewarned.

At the woman took her seat, with Mr. Owen and Mr. Fitzgerald, of South Richmond, fanning her from the front, she threw back her heavy veil, revealing a white, deeply lined face. It was Mrs. Robert V. Owen, mother of the dead girl. Her name had not been called. She was sworn, and then Mr. Wendenburg asked:

Questioned by Wendenburg. "Where do you live?"

"In Dover, Del.," Mrs. Owen replied, in a voice scarcely above a whisper.

"How long have you been living there?"

"Since last May," came almost impulsively, and the court stenographer leaned forward to catch her words.

"Are you the mother of the late Mrs. Henry Clay Beattie, Jr.?"

"Yes."

"Did you pay her a visit before her death?"

"Yes."

"When did you come?"

"On the 22d of May."

"Was the child born then?"

"It was born on the 31st of May."

The words came with great difficulty, for Mrs. Owen, in that crowded courtroom, with hundreds of eyes staring at her and the memory of her dead girl before her, was trying hard to suppress her emotions and to keep back the tears. Her face was almost livid in its intensity.

"How long did you remain on that visit?"

"Until the Saturday after her death."

"I wish," said Mr. Wendenburg, slowly, "that you would tell the jury all you know about her living happily with her husband in the latter two months of her life."

Wife Was Unhappy. "One moment," broke in Mr. Smith. "One moment."

"The witness ought to be cautious," said Mr. Carter, "tell only what she knows personally."

"She didn't seem happy," said the mother-witness. "She looked sad and

had crying spells."

"We object to that," said counsel for the defense.

"Note an exception," said the court to the stenographer.

"Well, we'll withdraw the exception," said Mr. Carter. "That will then be the doors open for us."

"Do you know," continued Mr. Wendenburg, "what caused this sorrow on her part?"

"No, sir. She didn't tell me."

"Did she show you anything as a cause for her looking sad and having crying spells?"

"We object," broke in counsel for the defense.

"State," said Mr. Wendenburg, "whether you saw in the hands of Mrs. Beattie any of the clothes of Henry Clay Beattie, Jr.?"

"Yes. She showed me his clothes."

There was objection on the part of counsel for the defense, and the court offered to retire to the jury room with argument as to the admissibility of the evidence the Commonwealth was endeavoring to secure from Mrs. Owen.

"In a few minutes," asked Mr. Wendenburg, "I want to ask the witness a few more questions, and then we can go over the whole matter in the argument."

Were you stopping during the last two weeks of your visit here?" asked the witness.

"Yes, sir."

"When Mr. Henry Clay Beattie, Jr., came there in his automobile to go riding, whom did he take?"

"Mrs. Walker (Mr. Tom Owen's mother-in-law), the two boys, the baby and myself."

Many Motored Together. "And his wife?"

"Yes."

"Now, the next time when he went out, whom did he take?"

"Mrs. Tom Owen and her husband, the two boys and the baby and his wife."

"Did he ever go with his wife alone—before that fatal night?"

"Not until that night."

"Did she have any reason for going alone? Don't say the reason."

"Here was the other question on which argument was to be had, and which ordered a recess. Attorneys for both sides, accompanied by the prisoner, adjourned to a jury room, and there Judge Watson listened to the argument as to the admissibility of certain evidence the Commonwealth wished to bring out.

When, after more than half an hour, recess court convened, it could be seen from the complacent smile of counsel for the prosecution that it had won its point and the evidence it had desired to bring out would be allowed. Counsel for the defense noted an exception to this line of question. Mrs. Owen then told of exhibits shown her by her daughter, which contained the reason for her daughter's sorrow.

"When were they shown to you?" asked Mr. Wendenburg.

"The Tuesday—before—she—was—killed," answered Mrs. Owen, speaking with the greatest difficulty, and so low that she had to repeat her reply.

Seen at Beattie Home. "How long before the homicide?" asked Mr. Smith.

"About three weeks before."

"Where were you at this time?"

"At her home, the residence of Mr. Beattie, Sr."

"State, together," said Mr. Wendenburg, "you were invited to go out every time until the night of the murder?"

On objection from the defense the question was withdrawn.

"You have mentioned several occasions when you went out with your daughter," said Mr. Wendenburg. "Who invited you?"

"My daughter."

"Was he present?"

"Yes. He was present."

"State whether on this fatal night you were invited by him or her?"

"No."

"Was there any physical reason to prevent your having gone, had you been invited?"

"We object," said counsel for the defense.

BEATTIE SMILES AT GHASTLY EVIDENCE

Paul's Confession, Near Close of Day, Almost Ruins Prisoner's Hope of Freedom—Second Sensation Greater Than First.

Sensation followed sensation yesterday afternoon in the trial of Henry Clay Beattie, Jr., at Chesterfield Court-house. The evidence given in the morning by Mrs. R. V. Owen, mother of the murdered woman, was followed by that of Dr. A. G. Franklin and Mrs. Jesse Binford, mother of Beulah Binford. On top of a strong chain tending to show the probable motive for the killing, the State laid yesterday afternoon its most sensational evidence. Paul Beattie, cousin of the accused, known since the coroner's inquest to have been the purchaser of the gun with which the killing was done, came on the stand and bravely told a practical confession on the part of Henry Clay Beattie, Jr., of wish to God I hadn't done it."

Paul says his cousin told him the following day, "I wouldn't have done it for a million dollars. She only married me for my money, anyway. I don't know how in the hell those damned detectives heard about the No. 6 shot."

Just as Damaging. Almost equally damaging and direct in its meaning was Paul's testimony that he was the go-between used by his cousin in communicating with Beulah Binford. According to the evidence, Paul carried the message from Henry to the woman who held his affections, telling her that if she opened her mouth, or called him up, he would kill her if it took him ten years to do it. The message was delivered.

Taken by a surprise no less dangerous and dramatic than that of the morning when the black-veiled figure of the mother of his wife caused Henry Beattie to lose countenance, both the accused and his counsel were shaken.

The hard, strident voice with which Mr. Smith, standing excitedly in his place, began the cross-examination showed that the shrewd and skillful lawyer felt the force of the blow, and that he more than any one present, understood the chances of his client being utterly blasted unless the testimony just given could be overthrown.

For half an hour Paul Beattie stood on the stand, and told of the fire of this cross-examination. Then came the hour of adjournment, and he will this morning undergo a grueling few words to experience. The Commonwealth is marshaling its forces to substantiate him at every turn. Beulah Binford is still the problem of the case. If she tells on the witness stand to-day the story she told at the coroner's inquest last night, the story told in part by her mother and brother-in-law yesterday afternoon—it would send Henry Beattie's last hope had been blasted.

Comes Back to City Jail. Last night the prisoner was returned to the Richmond City Jail for consultation with his attorneys, for every one recognized that after the body blows, amounting almost to a direct confession, consultation was needed. Whether the defense will attempt to impeach Paul Beattie or whether a new line will be advanced this morning, only the developments themselves can show. Henry Beattie's attorneys are silent and making no effort to conceal the fact that the new turn given to the case of the State yesterday in several places has them more than worried. The prisoner himself is almost panic-stricken, almost hysterical. The steady apologetic gaze with which he eyed Paul Beattie at the inquest was lacking yesterday. The accused, broken by the experience of having Mrs. Owen before him in the morning, could not look his cousin steadily in the eye. His face fell forward and his eyes were downcast, though occasional glances swept the crowd, and at times throughout the afternoon he looked almost hysterically without any apparent cause. Indeed, there were few, if any, points gleaned yesterday that would give any cause of mirth to the side of the defense and Messrs. Smith and Carter felt it.

Afternoon session of court opened at 2:40 o'clock, later than usual, because the morning session had been protracted to complete the evidence of Mrs. R. V. Owen, mother of the murdered woman. A slight shower passed over the courthouse during the recess, but it brought no cooling breezes in its wake. Close

other side.

"No," answered Mrs. Owen.

"On the night of the murder do you remember seeing the prisoner and hearing him make any remark to your daughter?"

"He made a remark about having had to repair a puncture and that a man passed him and didn't offer to help him, and that if he had had a gun he would have shot him."

"Do you remember saying anything to him that night, when he returned with the dead body of your daughter?"

"I asked him who could have been so cruel as to have killed my angel child," witness replied with difficulty. "And he said, 'Take me out into the road.'"

"Did you see any tears?"

"No, sir."

"Take the witness."

Mr. Carter questioned the witness as to how she knew the exhibits were the property of the deceased young Mrs. Beattie had shown her, and said that her daughter had told her they belonged to her husband.

"Was that the only way you knew?" asked Mr. Carter.

"Yes."

"Would you move to strike that out?" said Mr. Carter.

"When he came there that night and spoke of having a puncture," pursued Mr. Carter, "did he ask for water and wash his hands?"

"Yes, sir. He asked for water."

"Did his hands seem dirty?"

"Yes, sir."

Did Not Notice Water. "Did you see the water afterwards?" put in Mr. Wendenburg.

"No."

"Did you go out riding with him more than one night?" asked Mr. Carter.

"No."

"I went out twice, once in the afternoon, and once at night."

Mr. Wendenburg then asked her if the exhibits shown her by her daughter could have belonged to any one but the young Beattie, and she replied in the negative. She was asked to give a description of them, and did. Counsel for the defense objected.

"Did he have on this suit of clothes when you went out with him?" asked Mr. Wendenburg, holding up the blood-soaked clothes Beattie wore on the night of the murder.

"No, sir."

"You spoke of her having crying spells," said Mr. Carter. "Didn't she use to have them before she was married?"

"No, sir."

"Did she have them before?"

"Well, that is not unusual, is it?"

"It seemed unusual to me. I never knew her to be hysterical before."

Want It Stricken Out. Counsel for the defense then moved to strike out the evidence as to the exhibits referred to as having been the cause of Mrs. Beattie's sorrow, and was overruled. An exception was noted.

Mrs. Owen, asked Mr. Wendenburg, "do you recall Mr. Beattie having been there one night and ordering the baby out of his room because it disturbed him?"

"That was at his home."

"I don't see the relevancy of that," said the court, and Mr. Wendenburg did not press the point.

"Mrs. Owen," asked Mr. Carter, "was your daughter nursing her baby when Henry got there that night?"

"Yes."

"Didn't she have to attend to the baby again?" He was prompted in this question by young Beattie.

"No."

Mr. Carter tried to press the point, but Mrs. Owen was as insistent in her denial.

Whether was adjourned for lunch at this time, with the defense undecided whether it would wish to recall Mrs. Owen to the stand. She was invited to rest during the meantime in the home of Clerk Cogbill, which is only a short distance, across the road, from the courthouse. The invitation was accepted, and Mrs. Owen was led from the courtroom on the arm of Ben Owen.

and stifling the courthouse was packed to the last inch.

Two Other Witnesses. Dr. A. G. Franklin was called as the first witness of the afternoon. He knew Beulah Binford, but did not attend Beulah Binford's trial within the last two months, beginning on May 25 and ending on July 15.

"Who paid the bill?"

"Nobody."

"To whom did you charge it?"

"To Henry Clay Beattie, Jr., at his own request."

"Did you have any conversation on July 17 with Henry Beattie?"

"Yes. He asked if I thought it advisable to send Beattie to the country, and asked if the mountains were better than the seashore. I advised the mountains were preferable, since in the spring she had been near the seashore. He asked for my bill, and said if I saw Beulah Binford to give it to her, which I did."

Mrs. Jessie Binford, mother of Beulah Binford, was called to the witness stand. She had known Henry Beattie four years, having been introduced by Beulah. Some passing remarks by Sheriff Gill in regard to people being advised to leave the courtroom brought laughter, in reply to which Judge Watson said:

"A human life is in the balance at this courthouse. The citizens of Chesterfield have hitherto treated this trial with dignity. There is no reason for levity or laughter. This is a court of the people. Chesterfield, and as your judge I feel it necessary that your court should be protected and that no disorder should be permitted. Any more such laughter will result in an order to the sheriff to clear the court room, and for the holding of the trial in the absence of an audience."

Mrs. Binford testified that Beulah was one month over thirteen years of age when Henry Beattie, just four years ago, then she proceeded to relate incidents in Beulah's life at great length. Most of the evidence it is deemed best not to print.

Henrietta Pittman told of having known Beattie for the past four years, during which time she has also known Beulah Binford. She was with Beulah when she first met Henry Beattie on Broad Street in August, 1907, and met him recently at the Norfolk races.

B. L. Powers, of 805 West Main Street, husband of an elder sister of Beulah Binford, testified that Beulah was living at his house at the time of the homicide under the name of Mrs. R. T. Fisher; that she told him she had come from Norfolk at Beattie's suggestion.

"Did Beattie make you any proposition for caring for her?" he was asked.

"He said it felt sorry for her, and asked me to let her stay there; that he didn't like to see her go about from place to place. He said if she could board with me he would pay her rent and gas bill."

Paul Beattie Called. Late in the afternoon the Commonwealth sprung another surprise greater than the appearance of Mrs. R. V. Owen in the morning. It played its highest trump, in fact. There was a general excitement when Sheriff Gill called loudly from a window for Paul Douglas Beattie. Newspaper men and others who had slipped out for a breath of air hurried back to their places. There was a general forward rush, a general craning of necks and settling for intense listening. It was just 5:40 o'clock when the jury entered the courtroom, followed by Deputy Sheriff Joseph Lyne, of Henrico county. Entirely different was his appearance from the halting, nervous, drooping boy who fainted at the coroner's inquest. He was, in fact, a walking advertisement for the Henrico Jail physician, who during the past year has accomplished wonders. With every nerve and unimpaired attitude he was sworn and took his seat on the witness stand. He was a different man from the figure which so startled those gathered on Coroner Loving's lawn a month ago.

He was sworn by Judge Watson in the temporary absence of Clerk Cogbill, and in response to preliminary questions stated that he had been one year of age, married, and with one child, living at 201 South Randolph Street; that he was a first cousin of Paul Beattie, and that at the time of the homicide he was a watchman on May's street, and was to give bond in the sum of \$5,000 as a Commonwealth witness he had been held in the Henrico Jail since the coroner's inquest.

Told Without Tremor. A complete stenographic record of his evidence in chief in regard to the purchase of the gun at Weinstein's pawnshop, the coroner's confession of Henry Beattie, and the message he delivered for his cousin to Beulah Binford, is given elsewhere in The Times-Dispatch to-day. His story was clear and convincing, and a half hour of cross-examination failed to shake him. A further cross-examination, as stiff and aggressive as two experienced lawyers can prepare, awaits him this morning. Then the State will put on its witnesses to impeach him.

In detail and with dates, hours and places, he told of the purchase of the gun in a way that should be easy to verify. He bought the gun at Weinstein's pawnshop, having been furnished the money on Thursday night of the killing.

He related in detail the story of the whole transaction, winding up with evidence which was not brought out at the coroner's inquest. Paul said he visited Henry at his home Wednesday—last night following the murder. Henry asked him to go to 805 West Main and tell Beulah Binford that he said that if she called him up or opened her mouth he would kill her if it took a hundred years to do it.

Beulah's Remark. Paul delivered the message and Beulah remarked:

"I reckon Henry Clay will marry me after this."

The following night he went back and reported his errand to Henry. Henry, on the side porch, Paul said: "It looks blacker, I feel sorry for you."

To which Henry replied:

"I wish to God I hadn't done it. I wouldn't have done this for a million dollars. She never married me but for my money. I wonder how in the hell those damned detectives found out about that No. 6 shot?"

Paul asserted that he told Beattie then that if they came after him he would tell the truth. That night, after Paul was asleep, he was called on the phone by Henry and asked if he had been summoned to the coroner's inquest. When Paul answered: "No," Henry cackled and shut off the phone.

Such is the story, in brief, Paul Beattie told the jury. He told it well, not as a halting, hesitating boy, but as one who, in long hours of confinement, had thought carefully over what he was to say, and what he had determined to say he got off at a rapid pace without interruption, hardly waiting for questions. It took him thirty-five minutes.

Cross-Examination. It was just 5:05 when Attorney H. M. Smith, Jr., rose for the cross-examination. His voice was strident—Beattie's manner changed with excitement. Unconsciously the attorney stood while examining the witness and his voice was heard beyond the walls of the courtroom. Up to the hour of adjournment he had only given Paul Beattie a taste of what it is to come to-day, but so far the boy has held his own unshaken.

A question which Beattie glared at from his face. So far was this noticeable that some even remarked at that time that Paul Beattie knew more than he was telling, and that Henry Beattie was exercising an almost hypnotic effect in keeping him subdued. Henry's eyes fell yesterday. Again and again he attempted to raise them to his cousin's face or to eye the jury as the damaging testimony fell, but each time the eyes came back to the pad in front of him, on which he figured aimlessly with a pen.

First Told Wendenburg. "Who was the first person to whom you made any such statement?"

"To Mr. Wendenburg at the Henrico county jail."

"How long after the inquest?"

"Four days."

"How many times had you seen Mr. Wendenburg and Scherer before you told this?"

"Two or three times."

"Don't you know you saw them two or three times a day?"

"No. I never saw them two or three times a day or anything like it."

"You talked with Captain McMahon?"

"Yes."

"Did you tell him about this confession?"

"No."

"Did you talk with Scherer before the coroner's inquest?"

"I don't think I did."

"You said four days just now. Wasn't it a week?"

"No, not that long."

"Had Scherer seen you in the interim?"

"Yes."

"Did you tell him?"

"No."

"Did you tell Mr. Wren?"

"No."

"Did you tell Mr. Wiltshire?"

"No."

"All of the officers working on the case interviewed you?"

"Yes."

"They asked you to tell all you knew?"

"Yes."

"Then, why didn't you?"

"Duty He Had to Perform. "It came to my mind after I had been in jail that it was my duty to the public and to my wife and baby, and I've got about the worst of it. I tried to hold it back as long as I could. I hated like anything to tell on my own flesh and blood this way."

"Before the inquest didn't you promise your wife and mother-in-law to tell everything?"

"Yes."

"Going After Paul. Mr. Smith started out with an aggressive air.

"You told about meeting Douglas at the door, and about his showing you where Henry was. What night was that?"

"Thursday night."

"You testified at the coroner's inquest?"

"Yes."

"You were on the stand there for several hours?"

"I don't know how long."

"Your testimony takes up fifty-five pages of typewriting in the record."

"I didn't typewrite it. I don't know. I only know I was in very bad condition when I was on the stand."

"You remember that I cross-examined you under protest?"

"I remember that my mind got clearer to me, and I told you to go ahead."

"Do you remember my saying that I didn't want to cross-examine a witness in your condition?"

"I think I do."

"Didn't you say you felt well enough to go on?"

"I don't think I did or that I said anything. I came back on the stand when I felt better."

"When you were on the witness stand at the coroner's inquest did you state that Henry Beattie had made a confession to you?"

"No."

"When was the first time you told that to any one?"

"I wasn't asked to tell it at the coroner's inquest."

"No. I only promised McMahon to tell the story about the gun—the part he asked me about."

"Then you didn't tell the whole truth at the inquest?"

"The gun was all I was asked about."

"Was the first man you told was Wendenburg?"

"Yes, four days after the inquest."

"You didn't give any intimation to any one in those four days?"

"No, sir."

"When you bought the gun, did Henry ask you not to say anything about it?"

"No."

"Nothing about keeping the matter a secret?"

"No."

"Didn't Think It Strange. "Did you think there was anything strange about his asking you to buy him a gun?"

"No. He asked me to buy a second-hand gun. He had plenty of money and I thought maybe he didn't want to be seen going into a pawnshop."

"Who didn't you take it over to him that night?"

"He wanted a second-hand gun, and I didn't know whether it would suit him. It was taken in three pieces and wrapped up until I called for it."

"Did you tell that at the coroner's inquest?"

"Yes."

"I wasn't asked. I was in pretty bad condition that day. My mind was wrecked. It was awful to have to testify on my own kin and blood. I hated to have to do it."

"Who suggested that you give that explanation?"

"I did."